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September 27, 2019

By Email (Bernstein.chambers@nysb.uscourts.gov)

United States Bankruptcy Court
Southern District of New York
One Bowling Green
New York, NY 10004-1408

Attn: Hon. Stuart M. Bernstein

Re: Picard v. Morton Kurzrok, et al., Adv. Pro. No. 09-01305 (SMB)

Dear Justice Bernstein:

I represent Defendant Morton Kurzrok in the above-referenced matter. On September 5, 2019, I received a notice seeking the deposition of Mr. Kurzrok. I understand that pursuant to the Court's most recent case management order, all depositions must be completed by no later than October 9, 2019. I am writing to respectfully request that this date be extended by thirty days solely with respect to the deposition of Mr. Kurzrok and our deposition of the Trustee, for the following reasons:

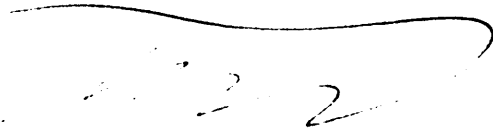
1. From the time that I received the deposition notice for Mr. Kurzrok, I have been completely immersed in preparation for two state court trials scheduled during the month of October, one of which was scheduled to last for two weeks. As Your Honor is well aware, the volume of documents produced by the Trustee is considerable. It is simply impossible to adequately prepare for Mr. Kurzrok's deposition, given my own trial schedule and the short notice provided.
2. Mr. Kurzrok lives out of state. The deposition was noticed for October 4, which falls between the Jewish High Holidays of Rosh Hashanah and Yom Kippur. The current close of discovery is actually on Yom Kippur.
3. While this case has been actively litigated by many parties, Mr. Kurzrok has been uninvolved in the proceedings for the past several years. While he remains a defendant in this action, he has not been the recipient of any recent discovery demands, nor has he propounded any demands upon the many other parties in this case.

*Granted on Consent
SMB
10/2/19*

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For these reasons, I respectfully request that this Court grant a short 30-day extension of the deadline to for the completion of Mr. Kurzrok's deposition and for the completion of Mr. Kurzrok's deposition of the Trustee. I have conferred with Ms. Zunno-Freaney, counsel for the Trustee, and she does not object to this brief adjournment.

Respectfully,



Andrew S. Lewner

ASL

cc: Frank M. Oliva, Esq. (By email)
Kathryn M. Zunno-Freaney, Esq. (By email)
Esterina Giuliani, Esq. (By email)
Jeffrey A. Miller, Esq. (By email)

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